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REMARKS/DISCUSSION OF ISSUES

Claims 1-15 are pending in the application. Applicants acknowledge the allowance of claims 5-7, 9, 13 and 15, and the indication that claims 4, 11 and 12 define patentable subject matter and would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

The Examiner is thanked for indicating that the drawings are acceptable.

Applicants hereby respectfully request that the Finality of the Office Action be withdrawn for the reasons stated below. Reexamination and reconsideration of the application are also respectfully requested in view of the following Remarks.

REQUEST FOR WITHDRAWAL OF FINALITY OF OFFICE ACTION

M.P.E.P. § 706.07(a), cited in the Office Action, states that:

> *"second or any subsequent actions on the merits shall be final, **except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement** filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p)"*

(emphasis added).

Here, in the Office Action dated 18 July 2006, for the very first time, the Examiner rejects claim 10 over Hashimoto U.S. Patent 6,072,457 under 35 U.S.C. 103(a). In the previous Office Action dated 12 July 2005, claim 10 had only been rejected under 35 U.S.C. 102, and was not rejected under 35 U.S.C. 103. Meanwhile, claim 10 was not amended in the previous Office Action response.

This is clearly a new ground of rejection, not necessitated by any amendment by Applicants or based on information submitted in an IDS, and therefore it is improper to make the Office Action "Final."

Accordingly, for at least these reasons, Applicants respectfully submit that the

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Finality of the Office Action dated 18 July 2006 is improper, and accordingly, respectfully request that the Finality be withdrawn.

35 U.S.C. § 102 and 103

The Office Action rejects claims 1, 3, 8 under 35 U.S.C. § 102, and claims 2, 10 and 15 under 35 U.S.C. § 103, over Hashimoto U.S. Patent 6,072,457 ("Hashimoto").

Applicants respectfully traverse those rejections for at least the following reasons.

Claim 1

Among other things, in the method of claim 1 at least two line-memories are applied with an input digital video signal, and when one of the line-memories is in a writing operation, the other one of the line-memories is subjected to a repeatedly reading control.

Applicants respectfully submit that Hashimoto does not disclose or even suggest any method including such a combination of features.

At the outset, the Office Action cites the embodiment of FIG. 2 as showing the two line memories. However, Example/Embodiment 1 of FIG. 2 does not include the other features of claim 1, for example "the line-memories being applied with an input digital video signal," as it is clear from FIG. 2 and the text at col. 6, lines 4-9.

So, in an effort to cobble together some semblance of claim 1 from various incompatible portions of completely different embodiments of Hashimoto, the Office Action proceeds to cite text from col. 11, line 45 through col. 12, line 10. However, this text very clearly pertains only to an "Example 6" describing to an embodiment shown in FIGs. 14A-B, 15, 16 and 17. As is very clearly shown in FIGs. 14A-B and 15, this embodiment does not even have "two line-memories," instead being designed to operate with the single line memory 3 in Fig. 14A (shown in more detail in FIG. 15). So, the text also certainly could not (and does not) disclose that "when ***one*** of the line-memories is in a writing operation, ***the other one*** of the line-memories is subjected to a repeatedly reading control."

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Therefore, Hashimoto cannot disclose the method of claim 1.

Response to "Response to Arguments"

In response to these points, the FINAL Office Action cites col. 12, lines 5-10 of Hashimoto that states:

> Where the reading of data is performed after the end of the writing into the line memory, a line memory for the image signal during two horizontal scan periods is required, but by reading the image signal data from the line memory while writing into the same line memory, as in this example, the line memory can be halved.

From this, the Office Action goes on to extrapolate that:

> *"Clearly, since both writing and reading from the same memory simultaneously would be difficult to do, Hashimoto suggests a solution and the line memory can be halved, yielding as it were, two memories."*

Applicants respectfully disagree with this extrapolation, and respectfully submit that it has absolutely no foundation in the Hashimoto reference itself, but instead represents impermissible hindsight reconstruction of Applicant's claimed invention.

At the outset, this extrapolation is directly contrary to the cited text, which plainly teaches: "reading the image signal data from the line memory while writing into the ***SAME*** line memory." Thus, the cited text could hardly be any clearer that it explicitly teaches reading and writing from ***one*** line memory, not two. Furthermore, the suggestion that halving the length of a line memory somehow produces two memories is fallacious. For example, if I halve my weight, it does not yield two people! It yields ONE person with a weight that is half as much as before. Similarly, here, Hashimoto teaches that if reading is done after writing, then a line memory long enough for two horizontal lines is required, but by reading from the memory while

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writing into the same memory, then the memory can be halved (i.e., one horizontal line long).

Therefore, once again, Applicants respectfully submit that Hashimoto fails to disclose at least two line-memories being applied with an input digital video signal, wherein when one of the line-memories is in a writing operation, the other one of the line-memories is subjected to a repeatedly reading control.

Accordingly, for at least these reasons, claim 1 is deemed patentable over Hashimoto.

Claim 3

Claim 3 depends from claim 1 and is deemed patentable for at least the reasons set forth above with respect to claim 1, and for the following additional reasons.

Among other things, in the method of claim 3 the constant rate at which the samples of the written sequence are sequentially read out, corresponds to a dot-frequency of an image to be displayed.

Applicants respectfully submit that Hashimoto does not disclose or even suggest any method including such a feature. Indeed, the Office Action fails to explicitly cite anything in Hashimoto that discloses such a feature, instead just generally averring that "the subject matter in claim 1 is met by the disclosure of Hashimoto" from col. 11, line 45 through col. 12, lines 4.

Applicants respectfully disagree that Hashimoto discloses any method including such a feature in the cited text, or anywhere else. **Indeed, to the contrary, Hashimoto discloses that the data is read out of the line memory three pixels at a time, instead of at the dot or pixel rate of the display device.**

The Final Office Action completely fails to respond to these arguments, which Applicants earlier presented in their Response to the Office Action of 12 July 2005. Applicants respectfully submit that they have paid the fee for a full, fair, and complete examination of claim 3, and respectfully request that these arguments be addressed, or the claim be allowed.

Accordingly, for at least these additional reasons, claim 3 is deemed

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patentable over Hashimoto.

Claim 8

Among other things, the display device of claim 8 includes two line memories, wherein when one of the line-memories is in a writing operation, the other one of the line-memories is subjected to a repeatedly reading control.

As explained above with respect to claim 1, Hashimoto does not disclose any display device including such a combination of features.

Accordingly, for at least similar reasons to those set forth above with respect to claim 1, claim 8 is deemed patentable over Hashimoto.

Claim 10

Claim 10 depends from claim 8 and is deemed patentable for at least the reasons set forth above with respect to claim 8, and for the following additional reasons.

Among other things, in the device of claim 10 the constant rate at which the samples of the written sequence are sequentially read out, corresponds to a dot-frequency of an image to be displayed.

As explained above with respect to claim 3 Applicants respectfully disagree that Hashimoto discloses any method including such a feature in the cited text, or anywhere else. **Indeed, to the contrary, Hashimoto discloses that the data is read out of the line memory three pixels at a time, instead of at the dot or pixel rate of the display device.**

The Final Office Action completely fails to respond to these arguments, which Applicants earlier presented in their Response to the Office Action of 12 July 2005. Applicants respectfully submit that they have paid the fee for a full, fair, and complete examination of claim 10, and respectfully request that these arguments be addressed, or the claim be allowed.

Claims 2 and 14

Claim 2 depends from claim 1, and claim 14 depends from 8, and these claims are deemed patentable over Hashimoto for at least the reasons set forth above with respect to claims 1 and 8, respectively, and for the following additional

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reasons.

The Examiner takes Official Notice that dual port memories and FIFOs is signal conversion or interpolation circuits "are notoriously well known in the art of television, and that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to include dual port devices "in order to more efficiently write and read video information from the memories." The Office Action cites Yoshida U.S. Patent 5,168,362 in support of the Official Notice.

Applicants respectfully traverse this statement of Official Notice, and submit that there is no motivation or suggestion in the prior art to modify any line memory in Hashimoto as alleged. At most, Yoshida discloses a dual port FIFO memory used in a device for changing an aspect ratio of a video signal. It does not provide a motivation for modifying Hashimoto's line memory to be a dual-port FIFO.

M.P.E.P. § 2143 states that:

> *"there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. . . . The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."*

Here, nothing is cited in Yoshida or anywhere else in the prior art for the supposed motivation to modify Hashimoto with a dual-port FIFO used in Yoshida's very different device. Meanwhile, a rejection under 35 U.S.C. § 103 must be based on objective evidence of record, and cannot be supported merely on subjective belief and unknown authority. "*The examiner can satisfy the burden of showing obviousness of the combination only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead the individual to combine the relevant teachings of the references.*" In re Lee 61

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U.S.P.Q.2d 1430, 1434 (2002) (emphasis added).

Therefore, Applicants respectfully request that the Examiner provide an affidavit as required by 37 CFR § 1.104(d)(2) if this rejection continues to be maintained based a motive for modification not explicitly suggested in the prior art (see MPEP § 2144.03).

CONCLUSION

In view of the foregoing explanations, Applicants respectfully request that the Examiner reconsider and reexamine the present application, allow claims 1-15 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment (except for the issue fee) to Deposit Account No. 50-0238 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17, particularly extension of time fees.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.

Date: 29 August 2006

By: _____
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